

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

CIVIL ACTION NO. 1:10cv412 (WOB)

DONTE ROYLES

**PETITIONER**

VS.

ORDER

WARDEN, WARREN CORRECTIONAL  
INSTITUTION

**RESPONDENT**

This matter is before the court upon the Report and Recommendation of the United States Magistrate Judge (Doc. #13), and there being no valid objections filed thereto by petitioner (Doc. #15), and the court being sufficiently advised,

**IT IS ORDERED AND ADJUDGED** that the objections (Doc. #15) to the Report and Recommendation of the Magistrate Judge be, and they are, hereby **overruled**; that the Report and Recommendation of the Magistrate Judge (Doc. #13) be, and it is, hereby **adopted** as the findings of fact and conclusions of law of the court; that the respondent's motion to dismiss (Doc. #12) be, and it hereby is, **granted**; that the petition for writ of habeas corpus (Doc. #1) be, and it hereby is, **dismissed, with prejudice**, on the ground that it is time-barred, pursuant to 28 U.S.C. § 2244(d); that no

certificate of appealability shall issue herein; and that this matter be **dismissed** and **stricken** from the docket of this court. A separate Judgment shall enter concurrently herewith.

This 16<sup>th</sup> day of May, 2011.



**Signed By:**

William O. Bertelsman *WOB*

**United States District Judge**